

Adopted May 23, 2006; Effective June 17, 2006,

POSSIBLE ZONING STRATEGIES

East Windsor

10

Overview

In September 2005, the East Windsor Planning and Zoning Commission adopted a nine month moratorium in order to adopt new regulations intended to better guide residential development.

At a series of public meetings in October and November, the Commission decided on the following performance objectives for Zoning Regulation strategies:

- **Manage Single-Family Residential Development**
 - Encourage more flexible single-family development patterns
 - Adopt a buildable land / density regulation to manage growth
 - Leave the minimum lot size requirement intact
- **Manage Multi-Family Residential Development (MFD)**
 - Review MFD provisions in terms of lowering density / getting more open space / appropriate roads
- **Address Housing Needs**
 - Provide for more affordable housing units
 - Provide for fees in lieu of affordable housing

This booklet is intended to present possible regulatory language to address these issues.

This booklet is intended to present proposed changes to the Zoning Regulations to address identified development issues in East Windsor.

A few definition changes are recommended in the Zoning Regulations.

Add New Definitions

4.1 Terms and Words Defined

The words and phrases set forth in these Regulations shall be construed as defined in this Section, unless otherwise clearly qualified by their context. Words not defined in this Section shall be interpreted by the Commission after consulting one or more of the following:

1. The East Windsor Subdivision Regulations.
2. The State Building Code, as amended.
3. The Connecticut General Statutes, as amended.
4. "A Planners Dictionary" (Planning Advisory Service, American Planning Association, Chicago, IL, 2004).
5. A comprehensive general dictionary.

4.1.1 Certain words contained herein shall be interpreted as follows:

1. The word "shall" is mandatory and not discretionary.
2. The word "may" is permissive.
3. When not inconsistent with the context:
 - a. Words in the present tense include the future and vice-versa.
 - b. Words in the singular include the plural and vice-versa.
 - c. Words in the masculine include the feminine and neuter and vice-versa.
4. The word "lot" includes the "plot".
5. The word "building" includes "structure".
6. The words "front yard" includes "setback".
7. The words "occupied" or "used" include the words "designed, arranged or intended to be occupied or used."
8. The words "zone", "zoning district", and "district" have the same meaning.
9. The word "person" also includes a partnership, association, trust, corporation or other legal entity.

LOT AREA - The contiguous area contained within the property lines of the lot calculated by horizontal projection but excluding any part thereof lying within the boundaries of a public or private vehicular right-of-way either existing or proposed.

BUILDABLE AREA (LOT) - The contiguous area of a lot excluding any area classified as inland wetlands, watercourses, having slopes in excess of 15 percent, or which are in areas of Special Flood Hazard as defined in Section 19 of these Regulations. (NEW)

DEVELOPABLE AREA (PARCEL) - The area of a parcel of land being developed excluding any area classified as inland wetlands, watercourses, having slopes in excess of 15 percent, or which are in areas of Special Flood Hazard as defined in Section 19 of these Regulations. (NEW)

Modify The Maximum Density Standard

No changes made to Section 18 except as follows:

Zone	R-1	R-2	R-3	A-1	A-2
Minimum Lot Requirements (5)					
Buildable Area - Sq. Ft. (3)	20,000	25,000	30,000	43,560	80,000

Zone	R-1	R-2	R-3	A-1	A-2
Maximum Parcel Requirements (4, 5)					
Density Factor (lots/acre of developable area on the parcel being developed) if not a PRD development	2.00	1.35	0.90	0.45	0.20
Density Factor (lots/acre of developable area on the parcel being developed) if a PRD development in accordance with Section 20	PRD Not Allowed	1.50	1.00	0.50	0.25

Minimum Yard Requirements (5)

No changes made

Maximum Lot Coverage (5)

No changes made

Maximum Height Requirements

No changes made

Accessory Structure Requirements (5)

No changes made

- (4) **Density Factor** - The maximum number of building lots permitted in a subdivision is determined by multiplying the developable area of the parcel (in acres) by the density factor for that zone. The density factor shall apply to all parcels of land that can yield more than four lots for subdivision or resubdivision. No parcel of land or lot shall have the density factor reapplied once the maximum lot yield has been reached for the original parcel of land that existed as of June 17, 2006, the effective date of this regulation.

Example: A proposed PRD development in an A-1 Zone with 10 acres of developable land on a 12 acre parcel

10 acres of developable land x 0.50 density factor = 5 lots maximum.

- (5) **PRD Developments** - Since, the Commission may modify the bulk and/or area standards in a PRD development (except for maximum height) based upon the amount of land preserved as open space, reference should be made to the approved subdivision plan for any lot created after June 17, 2006 the effective date of this regulation.

A density "bonus" has been provided for conservation developments created through the PRD regulation.

The PRD regulation has been modified to provide for more flexibility in design.

It has also been specifically limited to single-family detached residential development.

Modify Planned Residential Development

20.1. Purpose and Authority

The purpose of this Regulation is to encourage variety and flexibility in single-family detached residential development, conservation of open spaces and scenic and natural resources, and imaginative site planning and architectural design.

The Planned Residential Development (PRD) is an open space/conservation subdivision regulation that is allowed for single-family detached residential development in the R-2, R-3, A-1 and A-2 residential/ agricultural zones, provided that a Special Permit is granted by the Commission for the location and development. The requirements and provisions of the existing zone shall apply, unless specifically noted as part of the PRD or specifically waived by the Commission as part of the subdivision approval in accordance with Section 8-26 of the CGS.

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20.2. Special Permit Requirements

A Special Permit for a PRD shall not be granted until the applicant has proven and the Commission has determined that, in addition to the evaluation criteria of Section 2.7.4, all of the following conditions/requirements have been satisfied:

- a. That the location and size of the proposed use and the nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the area and compatible with other existing uses.
- b. That the proposed plans have provided for the conservation of natural features, drainage basins, the protection of the environment of the area, and sustained maintenance of the development.
- c. That the design elements of the proposed development are attractive and suitable in relation to the site characteristics and style of other buildings in the immediate area, and that the proposed use will not alter the essential characteristics of the area.
- d. That streets providing access to the proposed use are adequate in width, grade, alignment and visibility, and have adequate capacity for the additional traffic generated by the proposed use.
- e. That the proposed use shall have easy accessibility for fire apparatus and police protection and is laid out and equipped to further the provision of emergency services.
- f. That the water supply, the sewage disposal, and the storm water drainage shall conform with accepted engineering criteria and comply with all standards of the appropriate regulatory authority.
- g. That the proposed plans have provided for the conservation of natural features, drainage basins, the protection of the environment of the area, and sustained maintenance of the development.
- h. That the proposed use will not have any detrimental effects upon the public health, safety, welfare, and that the proposed use will not conflict with the purposes of the Regulations.

20.3. Recommended Procedure

Preliminary discussions, with staff and the Commission, of PRD developments are encouraged.

20.4. Application Requirements

For a Special Permit application to allow a PRD, the applicant shall submit:

- a. A general statement indicating the type of utilities to be provided, the means of preserving open spaces, and the types and uses of all non-residential structures proposed.
- b. A map of the entire PRD area showing the tract, existing topography, existing natural features, general soils classifications, and existing structures on the tract.
- c. A similar map showing the location of proposed structures and streets, public and private utilities, community facilities, open space and recreation areas, and phasing if the proposed development is to be developed in sections.

20.5. Open Space Requirements

- a. An application for PRD shall require a minimum of thirty percent (30%) of the total parcel as open space, parks, playgrounds, or other public purposes provided the land to be preserved:
 - shall be contiguous to other open space whenever possible,
 - is of sufficient size to make a meaningful contribution to the open space network, and
 - shall, at the option of the Commission, be dedicated to the Town, State, land trust, or other recognized conservation organization with adequate controls to assure its maintenance and preservation.
- b. Land which comprises the minimum open space set-aside of thirty percent (30%) of the total parcel shall be of a similar ratio of buildable land to unbuildable land as the entire subdivision or shall, in the opinion of the Commission, preserve environmentally sensitive areas such as river corridors, wildlife sanctuaries or other natural features.
- c. The Commission reserves the right to make the final decision on the suitability of open space land and the means of preservation.

The more open space that gets preserved, the more dimensional flexibility can be achieved by a developer.

20.6. Modification of Area & Bulk Requirements

Table deleted

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1. The Commission may, as part of the Special Permit for the PRD, modify certain area and bulk requirements of Section 18 for any lot or lots in a proposed PRD when:
 - a. more than thirty percent (30%) of the parcel is permanently preserved as open space in one or more locations, and
 - b. a substantial open space buffer along the undeveloped portions of existing roads is provided, where required by the Commission, and is deeded to the Town or a recognized conservation organization as permanently preserved open space.
2. Prior to modifying any such requirement of Section 18, the Commission shall make findings on the record that:
 - a. there will be a significant community benefit resulting from the additional open space that is being preserved in perpetuity, such as:
 - i. protection of important natural or scenic resources,
 - ii. preservation of a sizable area of open space,
 - iii. preservation of areas along Town or State roads that will protect rural appearance or character,
 - iv. establishment of an open space corridor or greenway or interconnection of existing open spaces, and/or
 - v. provision for public access, and
 - b. that there will be an appropriate visual buffer or separation to adjacent existing residential development, and
 - c. that the open space will not result in small or fragmented open space parcels that do not provide community benefits.

3. The Commission may, in its sole discretion, modify the following requirements on a lot or lots within a proposed PRD subdivision which have the required frontage on and obtain access from a new road by up to the same percentage that open space is preserved in perpetuity in the parcel in excess of the twenty percent (20%) open space requirement for a conventional subdivision:
 - a. The minimum lot size may be decreased provided that the Commission, in its sole discretion, finds that such reduction shall not result in an increase in the number of lots that would otherwise be built on the property.
 - b. The minimum frontage may be decreased.
 - c. The maximum building coverage may be increased as a percentage provided that it shall not exceed the maximum building coverage as an area allowed for a minimum size lot in the underlying zone.
 - d. The maximum impervious coverage may be increased as a percentage provided that it shall not exceed the maximum impervious coverage as an area allowed for a minimum size lot in the underlying zone.
 - e. The minimum setback and yard dimensions may be reduced.
4. The Commission may, in its sole discretion, modify or eliminate the requirements for contiguous buildable area on one or more lots.
5. The Commission may modify any other requirement of the Zoning Regulations, for a PRD under Section 20, by a three-fourths vote of those members present and voting, provided the following conditions are met:
 - a. The property for which the modification is sought is uniquely affected by these regulations.
 - b. Physical features of the property or its location cause difficulty in meeting the requirements of the zoning or subdivision regulations.
 - c. The granting of a modification will not have a significant adverse effect upon adjacent property or the public health and safety.
 - d. The granting of a modification will not be in conflict with the Plan of Conservation and Development,
 - e. Sound engineering practices shall be followed and approved by the Town Engineer.

20.7. Modifications

Once approved by the Commission, minor modifications may be approved by the Town Planner and Town Engineer. Any modification that would significantly alter a modification granted by the Commission shall require approval of the Commission.

To help manage multi-family development, it is recommended that the Special Development District be turned into a multi-family zoning district.

Establish Multi-Family Development Districts

8A.1 Purpose And Intent

No text changes recommended at this time.

8A.2 Definitions

No text changes recommended at this time except as follows.

8A.3 Applicability

No area shall be rezoned to a Multi-Family Development District unless the applicant has demonstrated and the Commission has determined that:

1. the site is at least four (4) acres in area, and
2. the site is or will be served by public water and municipal sewer, and
3. the site is located within an area identified as a "Village Area" or a "Non-rural Area" on the Residential Growth Guide Plan in the Plan of Conservation and Development, as amended, and
4. all of the following conditions/requirements have been satisfied:
 - a. That the location and size of the proposed use and the nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the area and compatible with other existing uses.
 - b. That the proposed plans have provided for the conservation of natural features, drainage basins, the protection of the environment of the area, and sustained maintenance of the development.
 - c. That the design elements of the proposed development are attractive and suitable in relation to the site characteristics and style of other buildings in the immediate area.
 - d. That streets providing access to the proposed use are adequate in width, grade, alignment and visibility, and have adequate capacity for the additional traffic generated by the proposed use.
 - e. That the proposed use shall have easy accessibility for fire apparatus and police protection and is laid out and equipped to further the provision of emergency services.
 - f. That the water supply, the sewage disposal, and the storm water drainage shall conform with accepted engineering criteria and comply with all standards of the appropriate regulatory authority.
 - g. That the proposed use will not have any detrimental effects upon the public health, safety, welfare, or property values, and that the proposed use will not conflict with the purposes of the Regulations.

8A.4 Exemptions And Exceptions

No text changes recommended at this time.

8A.5 Types Of Permits

No text changes recommended at this time except as follows.

8A.5.1 Subject to appropriate safeguards set forth in this Section 8A, the Commission may authorize by means of a Special Permit those uses identified in Section 8A.5.2 or 8A.5.3 below on any parcel of land zoned Multi-Family Development District.

8A.5.2 **Non-Elderly Occupancy** - Residential condominiums, residential cooperatives, or other like usages which are not restricted to occupancy by elderly persons or households may be permitted in a Multi-Family Development District, after obtaining a Special Permit. Any such use shall be subject to the maximum density limitations as approved by the Commission, in its sole discretion, based upon the following:

- a. two (2) dwelling units per acre of developable land on the tract,
- b. up to two (2) additional multi-family dwelling units on the tract for each (1) acre of land in East Windsor being deeded as open space to the Town or recognized conservation organization,
- c. up to two (2) additional multi-family dwelling units on the tract for each (1) single-family development right being transferred to the tract from one or more other sites in East Windsor,
- d. up to two (2) additional multi-family dwelling units on the tract for each (1) multi-family dwelling unit on the tract that is deed-restricted in perpetuity so as to be included in the Affordable Housing Appeals List maintained by the State, and
- e. in no event will there be permitted an average residential density of more than four (4) dwelling units per acre of developable land on the tract to be developed.

8A.5.3 **Elderly Occupancy** - Residential condominiums, residential cooperatives, or other like usages which are restricted to occupancy by elderly persons or households may be permitted in a Multi-Family Development District, after obtaining a Special Permit. Any such use shall be subject to the maximum density limitations as approved by the Commission, in its sole discretion, based upon the following:

- a. six (6) dwelling units per acre of developable land on the tract,
- b. up to three (3) additional multi-family dwelling units on the tract for each (1) acre of land in East Windsor being deeded as open space to the Town or recognized conservation organization,
- c. up to three (3) additional multi-family dwelling units on the tract for each (1) single-family development right being transferred to the tract from one or more other sites in East Windsor,
- d. up to three (3) additional multi-family dwelling units on the tract for each (1) multi-family dwelling unit on the tract that is deed-restricted in perpetuity so as to be included in the Affordable Housing Appeals List maintained by the State,
- e. in no event will there be permitted an average residential density of more than twelve (12) dwelling units per acre of developable land on the tract to be developed, and
- f. in no event will there be permitted building coverage of more than fifteen percent (15%) on the tract to be developed.

The current “open space” provisions regulations are actually impervious coverage regulations.

New language would require that at least 20 percent of the land area be set aside for open space.

8A.6 Fees

No text changes recommended at this time.

8A.7 Public Hearings

No text changes recommended at this time.

8A.8 Commission Approval

No text changes recommended at this time.

8A.9 General Requirements For Granting A Special Permit

No text changes recommended at this time.

8A.10 Specific Requirements

No text changes recommended at this time except as follows.

8A.10.6 Maximum Coverage and Minimum Open Space Requirements:

8A.10.6.1 No more than 45 percent of the gross land area of the parcel may be covered by buildings, driveways, parking areas, and other impervious surfaces.

8A.10.6.2 As part of every development in a Multi-Family Development District, the Commission shall require provision be made for the preservation of open space land through:

1. preservation of at least twenty percent (20%) of the land in the development as permanent open space deeded to the Town, the State, a land trust, or a recognized conservation organization acceptable to the Commission where such dedication meets the requirements of Section 7 of the Subdivision Regulations, or
2. payment of a fee in lieu of open space dedication where such payment meets the requirements of Section 7 of the Subdivision Regulations, or
3. a combination of land and fee or some other arrangements acceptable to the Commission, or
4. modification of this requirement in whole or in part by the Commission due to the applicant's permanent preservation of open space land (including acquisition of development rights) elsewhere in the community, or
5. waiver of this requirement in whole or in part by the Commission due to the applicant's provision of affordable housing units or other community amenity.

8A.10.6.3 Unless waived by the Commission, at least 3 percent of the gross land area of the parcel must be devoted to the provision of common recreational uses including but not limited to tennis courts, swimming pools, or clubhouses. In general such space shall have a minimum dimension of 50 feet, an average dimension of 100 feet, and a minimum area of 10,000 square feet. A smaller dimension and area are acceptable if 10,000 square feet is more than the total needed for provision of a particular recreation facility such as a tot lot. Such a divergence from this requirement shall be at the discretion of the Commission

8A.10.6.4 Structures containing dwelling units with three bedrooms must be located within 300 feet of an area designated as a recreation area.

8A.10.7.6 All access drives from public street to and from off-street parking areas, service areas, or other areas shall be constructed to the Town of East Windsor road specifications except as follows:

- a. The minimum roadway width shall be 24 feet except that the Commission may allow a narrower roadway width with a positive recommendation from town staff.
- b. The maximum vertical grade shall be 10%.

Provision has been made to allow for narrower road widths.

8A.10.7.7 The Planning and Zoning Commission may designate, at its discretion, one or more thoroughfares, located within the development as a public right-of-way. Those rights-of-way shall be constructed to the requirements specified in the East Windsor subdivision regulations except that the Commission may allow a narrower roadway width with a positive recommendation from town staff. Any other thoroughfare, access drive, or service drive not so designated by the commission, and any off-street parking area shall remain under the ownership and control of the owners of the development.

8A.10.7.8 Each development with interior roads in excess of 400' in length shall have a secondary means of egress or emergency access drive, as approved by the town staff.

8A.10.10 Landscaping

1. A landscape plan, prepared by a Connecticut licensed landscape architect, shall be submitted with the Special Permit application portraying all existing and proposed landscaping elements.
2. Suitable landscaping, including lawns and nursery-grown trees and shrubs, is required in all areas not covered by impervious surfaces, except that the Commission may waive this requirement in lieu of preservation, maintenance and enhancement of existing natural vegetation.
3. The applicant shall provide a landscaped buffer area around the development and access roads where necessary to buffer between adjacent uses and/or where required by the Commission and such buffer(s) shall be designed to create a solid visual barrier, at least six (6) feet tall within 24 months of planting.
4. All landscaping elements included on the approved landscaping plan shall be maintained in a manner sufficient to ensure its continuing performance and the survival of all plantings.
5. Proposed landscaping shall be designed and located to not unduly obstruct line-of-sight for vehicles entering and exiting the premises or traveling on abutting Town or State highways.
6. All common areas shall be outfitted with permanent sprinkler systems to ensure the long-term health of grass and plantings.

8A.10.11 Traffic Analysis

For any development containing twenty (20) or more units, a traffic impact analysis shall be prepared by a Connecticut licensed professional engineer with expertise in traffic engineering and submitted with the application indicating:

- a. the existing traffic conditions in the vicinity of the site
- b. the expected traffic generation from the development
- c. the effect of the expected traffic upon the level of service of the streets and intersections providing access to the development and other critical intersections affected by the development

If the commission is not satisfied with the quality of the analysis prepared by the applicant's traffic engineer, it may hire another traffic engineer to prepare such analysis and charge the applicant for the cost of such services.

8A.11 Change Of Zone

No development plan or special permit for residential condominiums, residential cooperatives, elderly housing, or other like usages shall be approved by the Commission except in a Multi-Family Development District.

8A.12 Certificate Of Occupancy

No text changes recommended at this time.

8A.13 Filing

No text changes recommended at this time.

8A.14 Validity And Separability

No text changes recommended at this time.

8A.15 Repealer

No text changes recommended at this time.

Delete Section 5.1.17 - Active Adult Housing

The existing Section 5.1.17 will be deleted and replaced with a new section that will allow such housing by zone change and Special Permit (see next page)

Adopt New Section For Active Adult Housing

22.0 Age-Restricted Housing District

22.1 Purpose

The purpose of this district is to provide for housing options designed to meet the unique housing needs of persons aged fifty-five years and older (55+), ranging from independent living to housing with additional support services.

22.2 Definitions

A. MANAGED RESIDENTIAL COMMUNITY (MRC) - A facility primarily for persons age fifty-five (55) or older consisting of private residential units and a managed group living environment. Such group living includes a core complement of resident services but does not include regular medical assistance to residents (*See Regulations of Connecticut State Agencies, Section 19-13-D105(c), as amended*).

B. ASSISTED LIVING COMMUNITIES (ALC) - A managed residential community where residents aged fifty-five or older (55+) are encouraged to maintain a maximum level of independence while a Connecticut-licensed assisted living services agency provides assisted living services including on-site staff support twenty four (24) hours/day, seven (7) days per week. More services may be provided which are customary to the use and necessary for the well being of the residents. The included services shall provide an alternative for elderly and/or handicapped persons who require some help or aid with activities of daily living in order to remain in their independent, private residential units within the managed community (*See Regulations of Connecticut State Agencies, Section 19-13-D105(c), as amended*).

C. ACTIVE ADULT HOUSING (AAH) - Dwelling units for elderly occupancy in detached, semi-detached, or attached one- or two-storied structures or any combination thereof, including condominium and cooperative units.

22.3 Special Permit Uses

The Commission may, after a public hearing in accordance with Section 2.7.3, issue a Special Permit for the construction and operation of one or more of the following uses in an Age-Restricted Housing District:

1. A managed residential community (MRC) for persons aged fifty-five and older (55+) including community facilities equipped to accommodate the dining, social, leisure, and health needs of the residents.
2. An assisted living community (ALC) for persons aged fifty-five and older (55+) including community facilities equipped to accommodate the dining, social, leisure, and health needs of the residents.
3. An active adult housing development (AAH) for persons aged fifty-five and older (55+).
4. Uses accessory to a permitted use which are intended and designed for the maintenance and/or operation of the development and/or the use of its residents.
5. Incidental retail use within the facility is allowed in an ALC or MRC, provided:
 - a. the retail uses are solely to serve the needs of the residents of the facility, as determined and approved by the Commission, and
 - b. there shall be no external advertising or signs related to any on-site retail use.

22.4 Limitations

1. This Section of the Regulations allows for the provision of not more than 260 units of Active Adult Housing (AAH). Once this number is reached, the Commission may review this provision for possible amendment but is under no obligation to increase the 260-unit cap at any time.
2. Pursuant to CGS Section 8-6, no use variance shall be granted for any use in an ARHD district.

22.5 Application Requirements

1. An application to establish an ARHD district shall be accompanied by a report detailing conformance with the application considerations listed in Section 22.6.1.
2. A Special Permit application for a use within an ARHD district shall be accompanied by the following:
 - a. the proposed covenants and restrictions that will be filed on the land records limiting occupancy to persons ages fifty-five and over (55+).
 - b. a Services Plan detailing the specialized services that will be provided.
 - c. a traffic impact study of the proposed development.
 - d. A schedule of exterior construction materials and proposed color charts.

22.6 Application Considerations

1. An application to establish an ARHD district shall not be approved unless the Commission determines that:
 - a. there is a reasonable need for such housing within East Windsor;
 - b. the site is located within an area identified as a “Village Area” on the Residential Growth Guide Plan in the Plan of Conservation and Development, as amended, or is not located within a “Rural Area” on the Residential Growth Guide Plan in the Plan of Conservation and Development, as amended;
 - c. the land is physically suited to the proposed use;
 - d. adverse environmental impacts are minimized;
 - e. there will be minimal adverse effects on existing land uses in the area;
 - f. surrounding property values will be conserved and the character of the neighborhood will not be unduly disrupted;
 - g. impacts will not adversely affect the capacity of the present and proposed utilities, street, drainage systems, sidewalks, and other infrastructure elements.
2. A Special Permit application for a use within an ARHD district shall not be approved unless the Commission determines, in addition to the criteria specified in Section 2.7.3, that:
 - a. the architectural design is in conformity with Sec. 22.8, and blends well into the surrounding area;
 - b. traffic impacts attributable to the development are acceptable;
 - c. proposed covenants and restrictions to be filed on the land records and binding on the applicant, his/her successors, heirs and assigns in perpetuity will limit occupancy in accordance with Federal law to:
 1. not more than two persons, both of whom shall be 55+ years of age in any ALC or MRC dwelling unit.
 2. not more than three persons in any AAH dwelling unit, one of which shall be 55 years of age or older, and may provide that a spouse who is not age 55 or older may continue to reside in such AAH unit if such spouse:
 - survives his or her qualified spouse, or
 - places his or her qualified spouse in a long term continuing care facility.
 3. handicapped persons, regardless of age, in up to ten percent (10%) of the total number of units or an amount as may be mandated by State or Federal regulations, whichever is less restrictive to the handicapped population.
 4. No persons under the age of twenty one years (21) shall be allowed to reside in any of the units in AAH.
 - d. proposed covenants and restrictions prohibit the purchase of any units for investment but may allow a non-resident family member to purchase a unit for another family member who will reside in the unit and otherwise comply with the provisions of this regulation provided that a statement to this effect shall be incorporated into the rental agreement or deed.
 - e. the application has met all other requirements of these regulations.

22.7 Bulk and Dimensional Requirements

Minimum Lot Size	Eight (8) acres of developable area
Minimum Frontage	Two hundred (200) feet although the Commission may, by unanimous vote, reduce the lot frontage requirement to no less than fifty feet (50')
Minimum Lot Width	Two hundred (200) feet
Minimum Lot Depth	Two hundred (200) feet
Minimum Front Yard	50 feet
Minimum Side Yard	30 feet from abutting business or industry zones 40 feet from abutting residential zones
Minimum Rear Yard	40 feet
Max. Impervious Coverage	Fifty percent (50%)
Maximum Building Height	2½ stories 30 feet
Maximum Number of Units	Ten (10) units per acre for ALC or MRC Five (5) units per acre for AAH
Maximum Building Size	70,000 square feet of gross floor area
Minimum Building Separation	Buildings shall be separated by the height of the tallest facing wall of either building.

22.8 Architectural Considerations:

1. The exterior of the structure(s) shall incorporate material, color, roofline and building elevation features which are residential in character in order to protect and enhance the existing characteristics of nearby residential neighborhood(s).
2. Pitched roof buildings, or the appearance thereof, are required.
3. Roof-top mechanical equipment shall be concealed from all sides. Solar panels may be exempted from this provision if the Commission finds that the visual impact of solar panels is offset by documented benefits of energy conservation.
4. Dwelling unit facades shall be staggered or off-set and/or use varied facade materials so as to avoid a barracks or dormitory appearance.
5. Buildings shall be designed so as to blend with the existing topography, vegetation, or other environmental factors to the greatest extent possible.
6. For active adult housing (AAH), single-family detached dwelling units are preferred and, in no event, shall more than three (3) units per structure be permitted.
7. No detached storage sheds, garages or barns shall be permitted.

22.9 Parking and Loading

1. At least two (2) off street parking spaces shall be provided per AAH residential unit.
2. At least one-half (0.5) parking space shall be provided per ALC or MRC residential unit
3. At least one-half (0.5) parking space shall be provided per residential unit (AAH, ALC, or MRC) for visitor parking.
4. At least one (1) parking space shall be provided per employee on the largest shift.
5. Adequate provisions shall be made for loading and unloading of service vehicles separate from resident entries and properly screened so as not to interfere with the day to day activities of residents or abutters.

22.10 Infrastructure

1. Public sewer and water services are required.
2. All utilities shall be underground.
3. The location of existing and proposed sidewalks and walking trails shall be shown on the site plan. Additional sidewalks and walking trails may be required where deemed necessary by the Commission.
4. Utilities, streets, and related improvements shall generally conform to Town procedures and design standards; however, a 24 foot pavement width is acceptable and other standards may be reduced or waived if appropriate provided there is no objection from town staff.
5. Where, in the judgment of the Commission, off-site infrastructure (including, but not limited to, streets, sidewalks, storm drainage facilities, illumination, water, sanitary sewer or other systems) is inadequate to serve the proposed development, the Commission may consider improvements to be made by the developer in evaluating the proposal.

22.11 Open Space

As part of every development in an Age-Restricted Housing District, the Commission shall require provision be made for the preservation of open space land through:

1. preservation of at least twenty percent (20%) of the land in the development as permanent open space deeded to the Town, the State, a land trust, or a recognized conservation organization acceptable to the Commission where such dedication meets the requirements of Section 7 of the Subdivision Regulations, or
2. payment of a fee in lieu of open space dedication where such payment meets the requirements of Section 7 of the Subdivision Regulations, or
3. a combination of land and fee or some other arrangements acceptable to the Commission, or
4. modification of this requirement in whole or in part by the Commission due to the applicant's permanent preservation of open space land (including acquisition of development rights) elsewhere in the community, or
5. waiver of this requirement in whole or in part by the Commission due to the applicant's provision of affordable housing units or other community amenity.

22.12 Landscape Plan

1. A landscape plan, prepared by a Connecticut licensed landscape architect, shall be submitted with the Special Permit application portraying all existing and proposed landscaping elements.
2. Suitable landscaping, including lawns and nursery-grown trees and shrubs, is required in all areas not covered by impervious surfaces, except that the Commission may waive this requirement in lieu of preservation, maintenance and enhancement of existing natural vegetation.
3. The applicant shall provide a landscaped buffer area around the development and access roads where necessary to buffer between adjacent uses and/or where required by the Commission and such buffer(s) shall be designed to create a solid visual barrier, at least six (6) feet tall within 24 months of planting.
4. All landscaping elements included on the approved landscaping plan shall be maintained in a manner sufficient to ensure its continuing performance and the survival of all plantings.
5. Proposed landscaping shall be designed and located to not unduly obstruct line-of-sight for vehicles entering and exiting the premises or traveling on abutting Town or State highways.
6. All common areas shall be outfitted with permanent sprinkler systems to ensure the long-term health of grass and plantings.

22.13 Outdoor Illumination:

1. Outdoor lighting shall be provided, to ensure proper and safe illumination of streets, parking areas, certain recreational facilities, and walkways, in locations and type as approved by the Commission.
2. Unless modified by the Commission, light poles shall not be more than sixteen (16) feet in height.
3. Such lighting shall be shielded and directed so that indirect light, falling outside the development, shall be of low intensity and shall not cause a nuisance from excessive glare or shine into the eyes of anyone external to the site.
4. In addition, any outdoor illumination shall not shine directly into any dwelling unit.

22.14 Bonding:

1. Prior to commencement of construction, the applicant shall furnish a construction bond and a separate erosion and control bond in form(s) and amount(s) acceptable to the Commission.
2. In establishing the amount of the bonds, the Commission shall request that the Town Engineer review construction cost estimates prepared and submitted by the applicant and make a recommendation regarding the construction bond and site erosion and control/restoration bond.

22.15 Traffic Analysis

For any development containing twenty (20) or more units, a traffic impact analysis shall be prepared by a Connecticut licensed professional engineer with expertise in traffic engineering and submitted with the application indicating:

- a. the existing traffic conditions in the vicinity of the site

- b. the expected traffic generation from the development
- c. the effect of the expected traffic upon the level of service of the streets and intersections providing access to the development and other critical intersections affected by the development

If the commission is not satisfied with the quality of the analysis prepared by the applicant's traffic engineer, it may hire another traffic engineer to prepare such analysis and charge the applicant for the cost of such services.

Adopt New Section For Sidewalks

10.8 Sidewalks and Trails

1. **Provision Required** - Every development in East Windsor involving the construction of a new building containing more than 1,000 square feet of gross floor area shall make some provision for sidewalks and/or trails in places deemed proper by the Commission for the public necessity and safety.
2. **On-Site Sidewalks** - This requirement may, with approval of the Commission, be met by providing sidewalks on internal roads within the development and along adjoining streets. On-site sidewalks are expected to be the Commission's preference along roads within multi-family developments.
3. **On-Site Trails** - Alternatively, the applicant may propose and the Commission may agree that some or all of this requirement shall be met by providing trails within the development in locations approved by the Commission,;
 - a. that may interconnect existing and future trails, and
 - b. which shall be open to the general public.
4. **Off-Site Installation** - Alternatively, the applicant may propose and the Commission may agree that some or all of this requirement shall be met by installing sidewalks and/or trails elsewhere in East Windsor in locations approved by the Commission provided that the value of such sidewalks and/or trails is equal to at least fifty percent (50%) of the estimated cost of installing sidewalks and trails in the development.
5. **Fee-In-Lieu-Of Installation** - Alternatively, the applicant may propose and the Commission may accept that some or all of this requirement shall be met by making a payment of a fee in lieu of installing sidewalks or trails to a Town Sidewalk and Trail Fund provided that such payment is at least forty percent (55%) of the estimated cost of installing sidewalks in the development. A cost indicator such as \$/s.f. or \$/l.f. of sidewalk shall be adjusted annually.
6. **Sidewalk Requirements** - When sidewalks are to be provided within the development, plans for such sidewalks shall be shown on the construction plans and any sidewalk shall:
 - a. be a minimum of four feet (4') in width,
 - b. have four foot (4') concrete slabs with expansion joints with a maximum twelve foot (12') separation,
 - c. have a minimum four inch (4") thick concrete slab on a minimum six inch (6") deep processed gravel base except that where such sidewalk extends across any driveway, it shall have a minimum seven inch (7") thick concrete slab on a minimum eight inch (8") processed gravel base.
7. **Pathway Requirements** - When pedestrian pathways are required, plans for the pathways shall be shown on the construction plans. Pathways shall be a minimum of four feet (4') in width with an appropriate surface treatment (such as stone dust or other surface material).

